**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

20

Application Number

10/633,279

Filing Date

August 1, 2003

First Named Inventor

Clendennen

Art Unit

1632

Examiner Name

Not Known

Attorney Docket Number

EP03-008C

**ENCLOSURES (check all that apply)**☒ Fee Transmittal Form☒ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/  
Incomplete Application☐ Reply to Missing Parts  
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board  
of Appeals and Interferences☐ Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)  
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**Remarks****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm

Exelixis, Inc.

Signature

Printed Name

Terri Sale

Date

January 21, 2005

Reg.  
No.

45,066

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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Angela F. Law

Date

January 21, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of Clendennen, *et al.*

Attorney Docket No.: EP03-008C

Application No.: 10/633,279

Filed: August 1, 2003

For: SEED-ASSOCIATED PROMOTER  
SEQUENCES

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §1.56, this Information Disclosure Statement is being submitted for the above-referenced application.

Applicant requests the Office to consider this Information Disclosure Statement under 37 C.F.R. §1.97 (b)(2) and states that the information contained in the attached PTO Form 1449 was first cited in the International Search Report (copy attached) from the International Searching Authority in the counterpart PCT application.

In accordance with §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined by 37 CFR §1.56 exists.

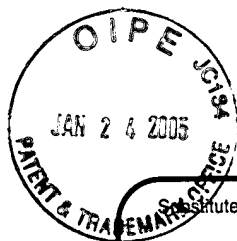
In accordance with §1.97(h), the disclosure contained herein is not intended to constitute an admission that any patent, publication, or other information referred to is "prior art" or "analogous art" for this invention.

It is believed that no fees are required, as the disclosure is delivered within three months of the date of entry of the national stage. However, the Commissioner is authorized to charge any required fees, to deposit account no. 50-1108.

Respectfully submitted,

Dated: January 21, 2005

Terri Sale Reg. No. 45,066  
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PTO/SB/08b(08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
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Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

Application Number	10/633,279
Filing Date	August 1, 2003
First Named Inventor	Clendennen
Art Unit	1632
Examiner Name	Not known
Attorney Docket Number	EP03-008C

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	GARCIA-MAS,J., et al., "Molecular characterization of cDNAs corresponding to genes expressed during almond (Prunus amygdalus Batsch) seed development.", Plant Mol Biol., Jan 1995, 205-10, 27-1.	
	2	SCHUBERT,R., et al., "Tissue-specific expression of an oat 12S seed globulin gene in developing tobacco seeds: differential mRNA and protein accumulation.", Plant Mol Biol., Jun 1994, 203-10, 26.	
	3	GARCIA-MAS,J., et al., "P. amygdalus, Batsch (Texas) pru1 mRNA.", Genbank GI No. 460805 [online], 07-JUL-1995 [retrieved 1/14/05]. Retrieved from the Internet:<URL:http://www.ncbi.nlm.nih.gov/entrez/query.fcgi?CMD=Display&DB=nucleotide>	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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